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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

AMY COHEN, KATHARINE VACCARELLA, and SIRISH KONERU on behalf of themselves and all others similarly situated.

Plaintiffs,

V.

CBR SYSTEMS, INC., GI PARTNERS, and
DOES 1-10,

Defendants.

Case No. 4:21-CV-06527-HSG

**STIPULATION AND ORDER
EXTENDING DEADLINES
AND SETTING BRIEFING
SCHEDULE REGARDING
DEFENDANTS' MOTIONS TO
COMPEL ARBITRATION**

Hon. Haywood S. Gilliam, Jr.

1 Pursuant to Local Rule 6-2, Plaintiffs Amy Cohen, Katharine Vaccarella, and Sirisha Koneru
 2 (collectively, “Plaintiffs”), and Defendants CBR Systems, Inc. (“CBR”) and GI Partners (“GI”); and
 3 together with CBR, “Defendants”), through their attorneys of record, hereby agree and stipulate as
 4 follows:

5 WHEREAS, Plaintiffs filed a Second Amended Complaint (“SAC”) on November 10, 2021,
 6 with the consent of Defendants (ECF No. 38);

7 WHEREAS, on November 19, 2021, Defendant CBR filed its Motion to Compel Arbitration
 8 or In the Alternative to Dismiss under Rule 12(b)(6) (“CBR’s Motion to Compel Arbitration”) (ECF
 9 No. 46);

10 WHEREAS, Defendant GI’s response to the SAC is due on December 10, 2021, and Defendant
 11 GI intends to file on December 10, 2021, a Motion to Compel Arbitration or In the Alternative to
 12 Dismiss under Rule 12(b)(6) which will join in part Defendant CBR’s Motion to Compel Arbitration
 13 (“GI’s Motion to Compel Arbitration”);

14 WHEREAS, pursuant to Local Rule 7-3, Plaintiffs’ response to Defendant CBR’s Motion to
 15 Compel Arbitration is currently due on December 3, 2021, and Plaintiffs’ Response to Defendant GI’s
 16 Motion to Compel Arbitration will be due on December 27, 2021;

17 WHEREAS, the parties have met and conferred and anticipate that the arguments in Defendant
 18 CBR’s Motion to Compel Arbitration and Defendant GI’s Motion to Compel Arbitration will include
 19 some overlapping factual and legal arguments;

20 WHEREAS, in consideration of these overlapping factual and legal arguments, and in the
 21 interest of judicial resources, and in conserving the parties’ resources, the parties have met and
 22 conferred and have agreed to the below briefing schedule, which accommodates numerous conflicts
 23 among counsel for all parties, as well as holidays and personal obligations;

24 WHEREAS, the hearing on Defendants’ Motion to Compel Arbitration or In the Alternative
 25 to Dismiss under Rule 12(b)(6) is currently set for March 31, 2022, and therefore the proposed briefing
 26 schedule will not impact that hearing date and all papers will be filed nearly five weeks prior to the
 27 hearing;

1 WHEREAS, pursuant to this Honorable Court's Standing Order, the parties intend to submit a
 2 joint letter regarding their discovery dispute relating to Plaintiffs' request for pre-arbitration discovery
 3 to determine the validity and enforceability of the arbitration agreement, and have agreed to file their
 4 joint letter stating the nature and status of their dispute on December 15, 2021;

5 WHEREAS, accordingly, Plaintiffs and Defendants agree to the following case schedule:

Event	Deadline
Parties to Submit Joint Letter to Court Regarding Pre-Arbitration Discovery Dispute	December 15, 2021
Plaintiffs' Opposition to Defendants' Motions to Compel Arbitration	January 14, 2022
Defendants' Replies in Support of Motions to Compel Arbitration	February 25, 2022

11
IT IS SO STIPULATED.

12 Dated: November 24, 2021

13 Respectfully submitted,

14
 15 MILBERG COLEMAN BRYSON PHILLIPS
 GROSSMAN, PLLC

16 By: /s/ Rachel L. Soffin
 17 RACHEL L. SOFFIN

18 Attorneys for Plaintiffs

19 PILLSBURY WINTHROP SHAW PITTMAN LLP

20 By: /s/ Dianne L. Sweeney
 21 DIANNE L. SWEENEY

22 Attorneys for Defendant CBR SYSTEMS, INC.

23 MILLER BARONDESS, LLP

24 By: /s/ Casey B. Sypek
 25 CASEY B. SYPEK

26 Attorneys for Defendant GI PARTNERS

ORDER

PURSUANT TO STIPULATION, IT SO ORDERED THIS 24th day of November, 2021.

THE HONORABLE HAYWOOD S. GILLIAM, JR.
United States District Court Judge